

Re: 1974 Enumeration
(Item 20, Report No. 33, April 29, 1974)

ITEM 11
MANAGER'S REPORT NO. 35
COUNCIL MEETING May 6/74

Council on April 29, 1974 tabled a proposal to increase the rates of pay for persons who will be engaged to conduct the 1974 Municipal Enumeration. The additional information that Council requested on this matter, including the applicable legislation are contained in the attachments and the following report from the Municipal Clerk.

Incidentally, those employed for Enumeration will be classed by our Treasury Department as employees. As such, they will be subjected to certain payroll deductions (Income Tax and Canada Pension Plan).

RECOMMENDATION:

THAT the following rates of pay be authorized for those persons who will be engaged to conduct an Enumeration in the Municipality in 1974:

Supervisor \$4.50 per hour
Assistant Supervisor(s) \$4.20 per hour
Enumerators \$3.90 per hour

* * * * *

May 2, 1974

TO: MUNICIPAL MANAGER
FROM: MUNICIPAL CLERK
RE: 1974 ENUMERATION

At the regular meeting of Council held on April 29, 1974, consideration was given to a memorandum from the Clerk's Department recommending therein:

"THAT the following rates of pay be authorized for those persons who will be engaged to conduct an Enumeration in the Municipality in 1974:

Supervisor -- -- \$4.50 per hour
Assistant Supervisor(s) -- -- 4.20 per hour
Enumerators -- -- 3.90 per hour

Following a discussion in reference to this subject matter, a motion was passed that same be tabled for one week pending a review of the legislation."

We submit herewith the verbal advice made available at this meeting and also additional information for the Council.

The Annual Budget has provided for the following expenditures for the years shown for the List of Electors (12-01-52):

1971	--	\$ 8,668 (actual)
1972	--	20,552 (actual)
1973	--	27,033 (actual)
1974	--	33,800 (estimate)

The 1973 List of Electors shows thereon:

Owners	--	49,079
Resident-Electors		10,716
Tenant-Electors	--	<u>141</u>
		59,936

The 1973 enumerators therefor obtained a maximum number of 10,857 names as some of the 1972 resident-electors and tenant-electors would have submitted confirmation forms in order to ensure that their names would be placed on the 1973 List.

Cont'd ...

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The 1974 enumerators will have to carry out a house-to-house visitation and enumeration of some 92,180 persons, which total is based on the following data:

Population December 31, 1973	--	--	141,400 (Community Development Information)
Less persons under 19 as at December 31, 1973	--	--	49,220 (" ")
<u>Persons to be enumerated</u>	--	--	<u>92,180</u>

The estimated wage cost to carry out this enumeration using a staff of 1 Supervisor, 2 Assistant Supervisors and 47 Enumerators based on the recommended rates of pay is as follows:

\$	3.93	per hour (average hourly rate for the 50 persons)
x	50	persons (Total enumeration staff)
	196.50	per hour (Total estimated hourly rate for the 50 persons)
x	35	hours per week (Estimated maximum hours per week for each member of the enumeration staff)
	6,877.50	per week (Total estimated weekly rate for the 50 persons)
x	8	weeks (Estimated maximum time for enumeration)
<u>\$55,020.00</u>	--	<u>Total estimated cost for enumeration wages</u>

The Minister of Municipal Affairs has indicated that the Province of British Columbia will bear 50% of enumeration costs.

In addition to the foregoing costs there will be expenditures for enumeration cards, advertising, call back notices and supplies.

The enumerators must supply their own motor-vehicles and will be required to initially visit the Municipal Hall at least twice weekly to leave completed enumeration cards and at least three times weekly during the last half of the enumeration. The completion of time cards will be on an honour system with the three Supervisors - who have participated in the past enumerations and know the various enumeration districts involved - checking same in an endeavour to ensure that padding of hours does not take place.

The hourly rates of pay for the classification of Labourer I Burnaby for the years noted are:

1972	--	\$3.765
1973	--	4.040
1974	--	4.525

The percentage increase from 1972 to 1973 was -- 8%

The percentage increase from 1973 to 1974 was -- 12%

The Consumer Price Index for the Vancouver area for the month and years shown is:

March 1972	--	130.7
March 1973	--	137.2
March 1974	--	150.6

From January, 1972 to this point of time, the retail price of gasoline has increased some 7% and the operating costs (exclusive of depreciation) for a fleet of small cars from 1972 to the present has shown an increase of 45%.

Contrary to our expression of opinion voiced at the Council meeting of April 29th, 1974, a telephone conversation with Mr. C. H. L. Woodward, Deputy Inspector of Municipalities, Department of Municipal Affairs, Victoria, has revealed that if a person is not present when the enumerator calls an enumeration card with appropriate directions for completion, witnessing and return can be left. Mr. Woodward advised that most municipalities are arranging for two call backs leaving the enumeration card if on the third visit no one has been contacted.

James Hudson
James Hudson,
MUNICIPAL CLERK.

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Repeals ss.
31 to 47, and
enacts ss.
31 to 47M.

Qualification
of electors.

9. Sections 31 to 47 are repealed and the following are substituted as sections 31 to 47M:

31. (1) Every person who
- (a) is of the full age of nineteen years;
 - (b) is entitled within the Province to the privileges of a natural born Canadian citizen or British subject;
 - (c) has resided in Canada for twelve months, and in the Province for six months immediately preceding the date of his application for registration as an elector;
 - (d) is a resident of the municipality in which he seeks registration as an elector at the date of his making application under this Act to be registered as an elector; and
 - (e) is not disqualified by this Act or by any other law in force in the Province,

is entitled to be registered as an elector pursuant to this Act and is entitled to vote at any election.

(2) Notwithstanding subsection (1), in any municipality, any person who will reach the full age of nineteen years before the date set for the holding of the poll is, if that person is, in all respects other than that of age, qualified in accordance with subsection (1), entitled to be registered as an elector and, being duly registered as an elector under this Act, is entitled to have that person's name placed on the list of electors and is entitled to vote at any election.

Disqualifi-
cations.

32. Every person who is convicted of

- (a) bribery; or
- (b) personation; or
- (c) treason; or
- (d) any indictable offence,

unless he has obtained a free or unconditional pardon for the offence, or has undergone the sentence imposed for the offence, is disqualified from voting at any election, and shall not make application to have his name inserted in any list of electors.

Residence
rules.

33. For the purpose of registration of electors under this Act, the place of residence of a person shall be determined according to the following rules:

- (a) The residence of a person shall be deemed to be the place in which his habitation is fixed, and to which, whenever he is absent, he has the intention of returning;
- (b) A person who leaves his home for temporary purposes only shall not thereby lose his residence;
- (c) A person shall not be considered to have gained a residence in the Province, or in a municipality, if he has come into the Province for temporary purposes only, without the intention of making the Province and some place in the municipality his home;
- (d) If a resident of a municipality goes to a place outside that municipality with the intention of making that place his residence, he loses his residence in the first municipality;

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- (e) If a person goes to a place outside the Province with the intention of remaining in that place for an indefinite time as a place of residence, he thereby loses his residence in the Province and the municipality, notwithstanding the fact that he may have the intention of returning at some future time:
- (f) The place where a man's family resides shall be deemed to be his place of residence, but any man who takes up or continues his abode with the intention of remaining at a place other than where his family resides shall be deemed to be resident where he so resides:
- (g) The residence of a single man shall be where he usually sleeps, without regard to where he takes his meals or is employed:
- (h) A change of residence may only be made by the act of removal joined with the intent to remain in another place; there can be only one residence; a residence cannot be lost until another one is gained:
- (i) A person shall not lose or be deemed to have lost his residence in this Province or in a municipality by reason only of the fact that he has heretofore been or may hereafter be absent from his place of residence while serving as a sailor, soldier, chaplain, surgeon, or nurse, or in any other capacity in the Canadian Forces or in any other of Her Majesty's Naval, Military, or Air Forces.

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Register of
electors

34. (1) The list of electors as prepared and authenticated pursuant to the provisions of Part II of the *Municipal Act* prior to the coming into force of this section shall be used for the elections, by-elections, or submissions held during the year 1973 only and shall not be used for any subsequent election, by-election, or submission held after the first day of January, 1974.

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(2) Prior to the holding of any election, by-election, or submission, after the first day of January, 1974, a new register of electors shall be prepared by house-to-house visitation and enumeration and, from this register of electors, a new list of electors of the municipality shall be prepared by the Clerk and certified by the Court of Revision pursuant to section 47A, not later than thirty days before the date appointed by the Council pursuant to section 128 for nomination to fill a vacancy on the Council or before the date determined by the Council pursuant to section 227 for voting on a by-law, submission, or question, and this list of electors as so certified shall be used for that election, by-election, or submission and, until a list of electors of the municipality for the ensuing year has been prepared and certified by the Court of Revision pursuant to this Part, shall constitute the last revised list of electors of the municipality pursuant to this Act.

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(3) Subject to the provisions of subsections (1) and (2), and in any event not later than the first day of June in the year 1974 only, every Clerk of

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every municipality shall make or cause to be made a house-to-house visitation in the municipality for the purpose of obtaining applications for registration as electors and, for this purpose, shall have authority to employ, at the expense of the municipality, the requisite number of persons to act as deputies for the purpose only of carrying out and completing the required house-to-house visitation and enumeration.

(4) Every person employed by the Clerk pursuant to the authority of subsection (3) shall have the authority and responsibility assigned to a Deputy Registrar of Voters under the *Provincial Elections Act* and shall be directly responsible to the Clerk for the proper enumeration of that portion of the municipality assigned to that person.

(5) Every Council shall make provision for the employment of the number of persons required by the Clerk for the purpose of carrying out and completing a house-to-house visitation required by this section.

(6) Every house-to-house visitation and enumeration in every municipality shall be completed on or before the thirtieth day of June, 1974, and the applications for registration as electors obtained as a result thereof shall, subject to the provisions of subsection (1), be the register of electors of the municipality and shall form the basis for the preparation of the list of electors for the ensuing year as added to, deleted from, and revised as hereinafter provided.

(7) The register of electors of every municipality shall contain all applications for registration as electors obtained by and filed with the Clerk pursuant to this Part and shall remain open during all regular office hours for the addition of new applications for registration as electors thereto, for the deletion of the names of persons no longer qualified as electors therefrom, for amendment and correction of names and addresses of persons registered therein, and at all times shall remain under the custody and control of the Clerk.

(8) The register of electors, as the same may have been added to, deleted from, and amended by the Clerk pursuant to this Part up to and including the thirty-first day of August in each year, shall form the basis for the preparation of the list of electors under section 46 and, except as provided in sections 47A and 47B, only the names and addresses of those persons listed therein by five o'clock in the afternoon on that date shall be placed on the list of electors.

(9) The register of electors may be in the form of a book, or may consist of a system of sheets, cards, or other records as may be approved by the Council.

Application
for registra-
tion.

35. Every person who is entitled to be registered as an elector and who is not so registered may make an application for registration, in accordance with this Act, to the Clerk of the municipality in which he is entitled to be registered as an elector.

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Assistance
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36. (1) For the general convenience of the public and for the purpose of securing the fullest registration of qualified electors, the Clerk shall cause deputies to attend with all necessary blanks at such convenient times and places as to the Council may seem advisable for the purpose of assisting applicants in the preparation and filing of their respective applications for registration.

(2) Every Clerk may, if authorized by the Council, make or cause to be made a house-to-house visitation in the municipality for the purpose of obtaining applications from persons for registration as electors, and any person impeding or obstructing any Clerk or deputy in carrying out his duties under this section is guilty of an offence against this Act, punishable upon summary conviction.

Offence.

37. Any person who knowingly signs an application as a witness with the intent that the applicant's name shall appear more than once in a register of electors, or in more than one list of electors, is guilty of an offence against this Act, punishable upon summary conviction.

Application
forms.

38. The Clerk shall furnish, without charge, applications for registration in the following form, with such variations as circumstances require, to any person applying therefor, and shall receive from any person offering to file it the application form signed by the applicant and a witness:

APPLICATION FOR REGISTRATION AS AN ELECTOR
 IN THE MUNICIPALITY OR REGIONAL DISTRICT OF _____

Dated at _____ B.C. 19____

For Office Use Only
 Polling Division
 Number

PLEASE DO NOT WRITE ANYTHING IN THIS SPACE

- (1) I hereby certify that I am a Canadian citizen or a British subject by birth (or by naturalization, as detailed below), that I am of the full age of nineteen years, that I have resided in British Columbia for the past six months and in Canada for the past twelve months, and that the address below is my present residence.
- (2) Signature of applicant, in ink. _____
- (3) Signature of witness, in ink. _____ Witness.
- (4) Address of witness. _____

(5) Surname of applicant in block letters.
 Mr./Mrs./Miss _____

(6) Given names in full (no initials).

(7) Street address (including apartment number) or description of location if residence is in rural area. (8) City, town, village, or district.
(Street, avenue, crescent, road)

(9) Postal address if different from above. (10) Occupation. (11) Social Insurance number OR birthday.
(Post) _____ of _____ (Month) (Year)

(12) If address changed since previous election, give former address in full.

(13) If name changed since previous election, give former name in full.

(14) Details of naturalization, if applicable.

OFFICIAL RECEIPT FOR REGISTRATION AS AN ELECTOR IN THE
 MUNICIPALITY OR REGIONAL DISTRICT OF _____

Name _____
 Address _____
 Date _____
 Phone _____
(Signature of official)

Form 1

(OVER)

PLEASE RETAIN THIS STUB IN YOUR POSSESSION.
 If you have moved and your address is other than that shown on
 this stub, notify the Clerk for change of address.

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS APPLICATION FORM

The form must be completed in ink. Pencil is not acceptable.

- (1) Fill in location and date of application, and read certification carefully.
- (2) Applicant will sign here in own handwriting; married women must use their own given names, such as Mary Eleanor Doe, not Mrs. John Doe.
- (3) A person who was present when applicant signed his name on line (2) must sign here. Wife may sign as witness for her husband, and vice versa.
- (4) Witness's address here.
- (5) Print applicant's surname in block letters here.
- (6) Print given names in full; underline given name you prefer used.
- (7) In areas where street numbers are not used, give information that will enable your location to be found on the map.
- (8) Rural route or P.O. box number, or location of post office from which you receive your mail.
- (9) Fill in your present or usual occupation.
- (10) This is voluntary information which will assist the Clerk in distinguishing between applicants with the same name.
- (11) THIS IS IMPORTANT—If not completed your name may remain on the voters list at your last address in the Province.
- (12) This information is to identify persons who may be already registered under a former name, such as a newly married woman.
- (13) If you are a naturalized Canadian citizen or British subject, give details—number of certificate, date and place certificate obtained, or other information that will satisfy the Clerk as to your qualifications to be registered.

APPLICATION FOR REGISTRATION AS AN ELECTOR
 IN THE MUNICIPALITY OR REGIONAL DISTRICT OF _____

Dated at _____ B.C. _____ 19____

For Office Use Only
 Polling Division
 Number _____

PLEASE DO NOT WRITE ANYTHING IN THIS SPACE

- (1) I hereby certify that I am a Canadian citizen or a British subject by birth (or by naturalization, as detailed below), that I will reach the full age of nineteen years before _____ (Date) that I have resided in British Columbia for the past six months and in Canada for the past twelve months, and that the address below is my present residence.
- (2) Signature of applicant, in ink. _____
- (3) Signature of witness, in ink. _____ Witness. _____
- (4) Address of witness. _____

(5) Surname of applicant in block letters. _____

Mr./Mrs./Miss _____

(6) Given names in full (no initials). _____

(7) Street address (including apartment number) or description of location if residence is in rural area. _____ (Street, avenue, crescent, road)

(8) City, town, village, or district. _____

(9) Postal address if different from above. _____ (10) Occupation. _____ (11) Social Insurance number OR birthday. _____ (Day) of (Month) (Year)

(12) Details of naturalization, if applicable. _____

NOTE—This form is to be used only by persons who will reach the age of 19 years in the period between closing-day and polling-day at that election.

Form 1 (Special)

(OVER)

OFFICIAL RECEIPT FOR REGISTRATION AS AN ELECTOR IN THE MUNICIPALITY OR REGIONAL DISTRICT OF _____

Name _____ Date _____
 Address _____ Phone _____
 Signature of official _____

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS APPLICATION FORM

The form must be completed in ink. Pencil is not acceptable.

- (1) Fill in location and date of application, and read certification carefully, the date inserted therein is polling-day at the forthcoming election.
- (2) Applicant will sign here in own handwriting; married women must use their own given names, such as Mary Eleanor Doe, not Mrs. John Doe.
- (3) A person who was present when applicant signed his name on line (2) must sign here. Wife may sign as witness for her husband, and vice versa.
- (4) Witness's address here.
- (5) Print applicant's surname in block letters here.
- (6) Print given names in full; underline given name you prefer used.
- (7) In areas where street numbers are not used, give information that will enable your location to be found on the map.
- (8) Rural route or P.O. box number, or location of post office from which you receive your mail.
- (9) Fill in your present or usual occupation.
- (10) This is voluntary information which will assist the Clerk in distinguishing between applicants with the same name.
- (11) If you are a naturalized Canadian citizen or British subject, give details—number of certificate, date and place certificate obtained, or other information that will satisfy the Clerk as to your qualifications to be registered.

PLEASE RETAIN THIS STUB IN YOUR POSSESSION.
 If you have moved and your address is other than that shown on this stub, notify the Clerk for change of address.

Register of
electors.

39. (1) Where it appears to the Clerk from the application for registration of the applicant filed with him that the applicant is entitled to be registered as an elector in the municipality, he shall, subject to subsection (2), forthwith insert the name of the applicant in the register of electors for that municipality.

(2) Notwithstanding the provisions of subsection (6) of section 34, section 46, and section 47F, where an application for registration is filed after the closing of the list of electors and prior to the first sitting of the Court of Revision, and where the person making such application was qualified to be registered in the register of electors as an elector pursuant to section 31 as of the date fixed by this Act for the closing of such list of electors, the Clerk shall refer each such application so made to the Court of Revision and that court shall have jurisdiction to deal with all such applications and to add the name of every such person to the list of electors then before such court.

Vital
statistics
information.

40. Each Registrar of Vital Statistics shall, once each month, transmit to all municipal Clerks within his district lists bearing the name, occupation, and address of each person whose death has been registered in his office since the date of the last list sent by him, and the Clerk shall forthwith amend the register of electors accordingly.

Removal
of name.

41. Where, at any time prior to the posting of the list of electors under subsection (6) of section 46, any person whose name is registered as an elector proves to the satisfaction of the Clerk of the municipality in which that person's name is registered that he is not resident at the address appearing in the register of electors, the Clerk may remove his name from the register of electors.

Proof of
qualifi-
cation.

42. Where the applicant claims to be a Canadian citizen or British subject by virtue of a certificate of naturalization given under the provisions of any statute of Canada or of any British possession, or claims to be a Canadian citizen or British subject by reason of being the wife, son, or daughter of any person who is a Canadian citizen or British subject by virtue of such a certificate, the Clerk shall not insert the name of the applicant in any register of persons applying for registration unless there is produced to him, in addition to the application for registration of the applicant, such further evidence as the Clerk may require to prove to his satisfaction that the applicant is entitled, within the Province, to the privileges of a natural born Canadian citizen or British subject.

British
subject.

43. Where proof of the fact that any applicant is entitled within the Province to the privileges of a natural born British subject has been furnished to the satisfaction of the Clerk, he shall make a note to that effect on the margin of the application for registration filed by the applicant, and may give

to the applicant a certificate in the following form, showing that satisfactory proof has been furnished and stating the grounds which entitle the applicant to such privileges, and the certificate shall for all purposes of this Act be prima facie evidence of the facts stated in it; and of the right of the applicant to the privileges within the Province of a natural born British subject:

(Section 43)

CERTIFICATE OF PROOF OF NATURALIZATION

CANADA:
PROVINCE OF BRITISH COLUMBIA:
MUNICIPALITY OF

This is to certify that _____, who now resides at _____, in the municipality of _____, being an applicant for registration as a municipal elector in the said municipality, has furnished to me, pursuant to section 43 of the *Municipal Act*, proof of the fact that the said applicant is entitled within the Province of British Columbia to the privileges of a natural born Canadian citizen or British subject; and the grounds which entitle the said applicant to such privileges are as follows:

Dated at _____, this _____ day of _____, 19 _____.

(Signature) _____
Clerk of the municipality of _____

Errors.

- 44. (1) The Clerk may, at any time, correct any error in the spelling or initials of any name, or the address, or the occupation of an elector upon the register of electors, and may, where necessary, correct the number placed opposite the name of the elector.
- (2) Where the name of any female registered elector is changed in consequence of her marriage, the Clerk, upon application signed by the elector and accompanied by such evidence as he may require, shall amend the register of electors accordingly.

Double registration.

- 45. (1) Where an applicant for registration as an elector, in his application, indicates that he is already registered as an elector at an address other than the address at which he is resident at the time of the application,
 - (a) if both addresses are in the same municipality, the Clerk shall forthwith remove the application previously made by that applicant from the file of applications for registration and shall substitute the new application therefor; and he shall place the application previously made by the applicant on the removal file, and he shall amend the register of electors by substituting the new address of the applicant; and
 - (b) if the address at which the applicant is resident at the time of his application is in a municipality other than the municipality in which he is already registered, the Clerk to whom the application

is made shall, after completing the registration of the applicant, notify the Clerk of the municipality in which the applicant claims to be already registered, and the last named Clerk shall thereupon remove the name of the applicant from the register of electors for that municipality and shall remove the application for registration previously made by the applicant in that municipality from the file of applications for registration and shall place it on the removal file.

(2) It is the duty of the Clerk having the custody of the register of electors for any municipality, upon receipt of the poll books kept pursuant to section 81, to correct the address of any elector who still resides in the same municipality to the address registered in the poll book as required by section 81.

List of
electors.

46. (1) The Clerk shall, from the register of electors prepared and maintained by him, prepare annually a list of electors in which he shall insert, so far as ascertainable by him, the name and address of every person entitled under the provisions of this Act to have his name entered therein.

(2) The list of electors shall be closed at five o'clock in the afternoon of the thirty-first day of August in each year.

(3) The Clerk, in preparing the list of electors, may, before entering on the list the name of any person, send to him by registered mail a notification that he is required to furnish evidence that he is of the full age of nineteen years and that he is a Canadian citizen or other British subject; and, until such evidence is furnished to the satisfaction of the Clerk, he shall not enter the name of that person on the list of electors.

(4) On completion of the list of electors, the Clerk shall certify it as correct.

(5) The Clerk shall retain in his custody the certified original list of electors, the original applications for registration, the register of electors, and all other lists and documents had by him in connection with the preparation and revision of the list of electors, and shall deal with them as provided in this Act or as directed by the Council.

(6) In each year, on the twentieth day of September, a copy of the list of electors as so prepared shall be posted upon the notice board or usual place for public notifications at the municipal hall and remain so posted until the sitting of the Court of Revision.

Objections
to registra-
tion.

47. (1) Any person entitled to be registered as an elector in the municipality may make objection to the retention of any name appearing on the last revised list of electors for the municipality and the objection may be made under this section on the grounds of death, removal, or want of qualification, or on any ground that would disqualify the elector or applicant from having his name retained or registered as an elector on the list of electors prepared under this Act.

(2) Every objection under this section shall be made by notice in writing setting forth the grounds of the objection and the post office address of the person against whom objection is made and the notice may be in Form A as set out in this section and shall be filed in the office of the Clerk.

(3) The Clerk shall, from time to time, prepare a list of the objections filed with him pursuant to this section, setting out the names of all persons against whom objection is made, and shall post up a copy of the list in his office.

(4) Upon the receipt of a notice of objection in Form A, the Clerk shall forward to each person against whom objection is made a notice in Form B as set out in this section stating the grounds of the objection and the date of the sitting of the Court of Revision at which the objection will be heard.

(5) The notice shall be sent by registered mail addressed to the person at the address shown on the list on which his name appears; and, where the address set forth in the notice of objection filed with the Clerk differs from the address shown on the list, the Clerk shall also send a copy of the notice in Form B by registered mail addressed to the person at the address set out in the notice of objection; but, where the objection is made on the ground of death, the Clerk instead of sending a notice shall cause a search to be made in the records of death kept under the *Vital Statistics Act*; and, if no record of the death is found, the Clerk shall require the person making the objection to furnish satisfactory evidence in support of his objection.

(6) No objection under this section shall be heard at any sitting of the Court of Revision that is held within seven days after the date of the mailing by the Clerk of the notice in Form B in respect of the objection.

(7) No objection shall be heard at a sitting of the Court of Revision where the notice of objection in Form A has been filed with the Clerk after the twentieth day of September in any year.

FORM A
(Section 47)

NOTICE OF OBJECTION

To the Clerk of the Municipality of

I, _____, being a person entitled to be registered as an elector in the said municipality, object to the name of [describe person objected to as he is described in the list of electors], whose present post office address is _____, being retained on the list of electors for the said electoral district, on the following grounds: [Here set forth the grounds of objection].

Dated this _____, day of _____, 19 _____.

(Signature) _____

(Post office address) _____

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FORM B
(Section 47)

NOTICE TO PERSONS AGAINST WHOM OBJECTION IS FILED
In the Municipality of _____

You are hereby notified that an objection has been filed with me to the retention of your name on the list of electors for the said municipality prepared pursuant to the *Municipal Act* and that a sitting of the Court of Revision to revise the said list of electors will be held at _____, commencing at _____ o'clock in the noon on the _____ day of _____, 19____, when and where such objection will be heard, of which you are hereby required to take notice and govern yourself accordingly.

The grounds of the said objection are as follows:

Dated this _____ day of _____, 19____.

(Signature) _____
Clerk.

To _____
(Address) _____

Court of
Revision.

47A. (1) The Council shall, on or before the thirty-first day of August in each year, appoint two of its members who, with the mayor, shall form a Court of Revision.

(2) The Court of Revision shall sit on the first day of October of that year, and shall continue to sit, if required, from day to day and from time to time.

(3) At least ten days' notice of the time and place of the sitting of the Court of Revision shall be given by posting upon the notice board or usual place for public notifications at the municipal hall, and by advertising in two issues of a newspaper published or circulating in the municipality.

(4) The Court of Revision shall hear all complaints and correct and revise the list of electors; and may

- (a) correct the names of electors in any way wrongly stated therein; or
- (b) add the names of electors omitted from the list; or
- (c) strike out the names of persons from the list who are not entitled to vote or who are disqualified from voting; or
- (d) correct any other manifest error therein,

and shall add to the list of electors the name of any person who was qualified to have his name entered on the list of electors on the thirty-first day of August, and, for this purpose, an application may be accepted as duly completed under section 35 if delivered to the Court of Revision at its first sitting.

(5) All alterations made in the list shall be shown in red ink and the list as corrected and revised by the Court of Revision shall be certified by a majority of the Court of Revision and forthwith printed.

Appeal.

47B. (1) In every municipality a judge of the Provincial Court or a judge of the County Court may hear and determine cases where it is alleged, after the list of electors has been certified pursuant to subsection (5) of section 47A, that the name of any person has been improperly placed on or omitted from the list of electors, and the Clerk shall, on receipt of an order from the judge, add to or strike from the list of electors and the register of electors the name of any person who the judge decides is or is not entitled to vote.

(2) Notice of every application to a judge for an order under subsection (1) stating the grounds upon which the application is made shall be given as directed by the judge, and no application shall be heard or order made in any year after the thirty-first day of October.

(3) In case of an appeal under this section, the Clerk shall be governed in placing, retaining, or removing any name on or from the list of electors and the register of electors by the decision of the judge, but the Clerk is not bound to await any decision before proceeding with the completion of the list of electors.

(4) On the disposal of any appeal that has been taken against any decision of the Court of Revision, the Clerk shall make any correction of the list of electors and the register of electors that may be required by reason of the judgment in the appeal.

Certification of list of electors.

47C. The Clerk shall, immediately after the certification by the Court of Revision of the list of electors, prepare a correct list of electors in alphabetical order with the names numbered consecutively throughout the list.

Polling divisions.

47D. (1) The Council of a city or district municipality may by by-law divide the municipality into polling divisions.

(2) Where a municipality is divided into polling divisions, pursuant to this section, or into areas or wards pursuant to section 53B, the Clerk shall, immediately after the certification by the Court of Revision of the list of electors and in accordance with section 47C, prepare the correct list of electors as corrected and certified and thereon designate by letters or numerals, or both letters and numerals, the polling division, area, or ward in which each elector may vote, and may further designate the actual polling station, and assign him to the polling division, area, or ward in which he resides.

(3) Where a municipality is divided into polling divisions, areas, or wards, an elector may only vote in the polling division, area, or ward assigned to him

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on the list of electors, but this provision shall not prevent an elector from voting at an advance poll.

(4) The name of a person shall not be placed more than once on the list of electors.

Posting of
list of
electors.

47E. One copy at least of the list of electors as prepared by the Clerk under section 47C or 47D shall be posted in each of at least three conspicuous places in the municipality, and also at the municipal hall, and shall remain posted until after the election.

Use of
list of
electors.

47F. (1) The list of electors as certified by the Court of Revision shall be used at the annual municipal election held in the month of November, and for all submissions to the electors at that election, and shall, subject to sections 47L and 47M, be the last revised list of electors of the municipality for the ensuing year until a new list of electors, or updated list of electors, is certified in accordance with this Act.

(2) Prior to the holding of any election, by-election, by-law, question, or submission in any year after the annual municipal election and prior to the certification of the list of electors for the ensuing year by the Court of Revision, and not later than thirty days prior to the date appointed by the Council for nominations pursuant to section 128 or prior to the date determined by the Council pursuant to section 227, the Clerk shall prepare and post, as herein required, an updated list of electors for the municipality, which shall consist of the names of the last revised list of electors, with the names of all applicants who have been added to the register of electors, between the date on which such last revised list of electors was certified by the Court of Revision and the date hereinbefore mentioned for preparation and posting of the said updated list of electors, added thereto; the names of all persons removed from the register of electors in the same period deleted therefrom; and all corrections made in such register of electors in the same period entered therein; and such updated list of electors shall be posted upon the notice board or usual place for public notifications at the municipal hall and remain so posted until the sitting of the Court of Revision.

(3) For the purpose of subsection (2), the date of the closing of the list of electors shall be the date upon which the Clerk posts the list of electors.

(4) The Council shall, before appointing the date pursuant to section 128 or determining the date pursuant to section 227, appoint two of its members who, with the mayor, shall form the Court of Revision.

(5) The Court of Revision shall sit not later than ten days after the posting of the updated list of electors as hereinbefore provided and shall correct and revise the said updated list of electors as provided by subsection (4) of section 47A and shall certify the updated list of electors as provided by subsection (5) of section 47A not later than fourteen days before the date appointed by the Council pursuant to section 128, or determined by the Council pursuant to section 227, and such updated list of electors, as so certified, shall forthwith be printed.

(6) At least ten days' notice of the time and place of the sitting of the Court of Revision shall be given as provided by subsection (3) of section 47A.

(7) The provisions of sections 47B, 47C, 47D, and 47E shall apply, with the necessary changes and so far as are applicable, to every updated list of electors prepared pursuant to this section.

Cancellation
of registra-
tions.

47G. (1) The Council, or the Lieutenant-Governor in Council, may from time to time, whenever it considers it expedient, order the cancellation of the then existing register of electors or any portion thereof in any municipality, and direct the compilation of a new register of electors and list of electors under this Act for the municipality, but the register of electors for any municipality so cancelled shall be the list of electors to be used at all elections held in that municipality prior to the certification of the new list of electors for that municipality compiled under this section.

(2) In the event of a cancellation of any register of electors under this section, all expenses necessarily incurred in or about the preparation of the new register of electors and list of electors, including the remuneration of any special deputies or other officials, officers, and clerks employed for the purposes of visitation, enumeration, and the preparation of the new register and list, shall be paid by the municipality.

Copies of
list of
electors.

47H. The Clerk shall print or reproduce or cause to be printed or reproduced the list of electors for the municipality, and copies of any list when printed or reproduced shall be furnished by the Clerk to any person upon payment of the sum of five dollars, and every candidate at an election is entitled to one copy of the list free of charge for each one thousand electors on the list to a maximum of twenty copies.

Evidence
of list of
electors.

47I. The list of electors for any municipality as printed or reproduced pursuant to section 47H, or as certified under subsection (5) of section 47A, and as updated and certified pursuant to section 47F, shall be deemed to be the list of electors for such municipality; and any paper purporting to be a list of electors or a list of names added or a list of names struck off, or a list of other alterations, additions, or corrections made in the list of electors for any municipality and purporting to be printed or reproduced pursuant to section 47H, shall be received as prima facie evidence thereof in all courts of law without further proof.

Offences.

47J. (1) Any Clerk or deputy appointed pursuant to section 34 who
(a) wilfully refuses or neglects to make out any list of electors; or
(b) wilfully neglects to insert in the list of electors the name of any person who applies to be registered as an elector and complies with all the provisions of this Act; or

- (c) wilfully inserts in the list of electors the name of any person who has not applied for registration; or
- (d) wilfully inserts in the list of electors the name of any person disqualified by this Act; or
- (e) wilfully places on the list of objections the name of any person against whom no objection is filed; or
- (f) wilfully refuses or neglects to publish, send, or mail any notice, post any list, or declines to give a copy of the same to any person entitled thereto at the time and in the manner required by this Act; or
- (g) wilfully refuses or neglects to deliver or transmit the lists, books, or documents to the Clerk or other person as required by or under this Act; or
- (h) wilfully refuses or neglects to attend the Court of Revision for revising the list of electors of his municipality; or
- (i) wilfully commits any act of omission or commission in contravention of the duties of his office under this Act

is guilty of an offence against this Act, punishable upon summary conviction.

(2) Nothing in this section affects or abridges any right of action against any Clerk or deputy which may arise under or by virtue of this Act or any law for the time being in force in this Province.

Idem.

47K. (1) No person shall make or cause to be made

- (a) an application on his behalf, to be registered under the provisions of this Act, in any other municipality than the municipality in which he is entitled to be registered; or
- (b) an application on his behalf, to be registered under the provisions of this Act, if he has previously filed with the Clerk an application for registration that has not been rejected or cancelled by the Clerk; or
- (c) an application on his behalf, to be registered under the provisions of this Act, that contains a false statement of fact.

(2) A person violating the provisions of this section is guilty of an offence against this Act, punishable upon summary conviction.

Supplementary register of electors.

47L. (1) Whenever the area of a municipality is extended, a supplementary register of electors shall be prepared by the Clerk as soon as conveniently may be after the extension.

(2) The persons whose names may be placed on the supplementary register of electors are those who would have been qualified to have their names entered on the register of electors if the area included in the municipality had been included within the former municipal boundaries.

(3) The supplementary register of electors shall be included in the next list of electors prepared by the Clerk.

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Reduction
of list.

47M. (1) Whenever the area of a municipality is reduced, a list of names of those persons appearing on the current list of electors who, because of the reduction, are no longer qualified to vote at municipal elections and submissions in the municipality shall be prepared by the Clerk as soon as conveniently may be after the reduction.

(2) The list of persons no longer qualified as electors shall be deleted from the next list of electors prepared by the Clerk.